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11 Attorneys for Defendants
12 PROTIVA BIOTHERAPEUTICS, INC.,
and MARK J. MURRAY

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 SIRNA THERAPEUTICS, INC.,

Case No. C 06-01361 MMC

16 Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER TO FURTHER EXTEND
DEFENDANTS' TIME TO ANSWER
OR OTHERWISE RESPOND TO
THE AMENDED COMPLAINT**

17 v.

18 PROTIVA BIOTHERAPEUTICS, INC.,
and MARK J. MURRAY,

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20 Defendants.

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The parties herein, by and through their counsel of record, hereby stipulate and agree as follows:

WHEREAS plaintiff filed its Amended Complaint on April 25, 2006;

WHEREAS the current deadline for defendants to answer or otherwise respond to the Amended Complaint is August 21, 2006;

WHEREAS the parties are currently negotiating in good faith to resolve their dispute without legal recourse, the parties respectfully request the Court to extend the defendants' time to answer or otherwise respond to the Amended Complaint to September 5, 2006.

NOW, THEREFORE, the parties request that the Court order the following:

Defendants' last day to answer or otherwise respond to the Amended Complaint is September 5, 2006.

IT IS SO STIPULATED.

Dated: August 18, 2006

O'MELVENY & MYERS LLP

By: _____ /s/ _____
Meredith N. Landy

Attorneys for Plaintiff
SIRNA THERAPEUTICS, INC.

Dated: August 18, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: _____ /s/
Elizabeth A. Howard

Atorneys for Defendants
PROTIVA BIOTHERAPEUTICS, INC.,
and MARK J. MURRAY

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CERTIFICATION OF CONCURRENCE

I hereby attest that concurrence in the filing of this document has been obtained from
counsel for defendants, Meredith Landy.

Dated: August 18, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: _____ /s/ _____
Elizabeth A. Howard
Attorneys for Plaintiff
SIRNA THERAPEUTICS, INC.

ORDER

IT IS SO ORDERED.

Dated: August 21, 2006

Maxine M. Chesney
The Honorable Maxine M. Chesney
United States District Judge